

ORIGINAL

UNITED STATES DISTRICT COURT FOR THE

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

DISTRICT OF HAWAII

SEP 25 2006

at 10 o'clock and 05 min. M
SUE BEITIA, CLERK

UNITED STATES OF AMERICA,)	CR. NO. 03-00259-01
)	
Plaintiff,)	
)	
vs.)	ORDER EXTENDING PROBATION
)	AND MODIFYING CONDITIONS
)	OF PROBATION
SHANE K. HARVEST,)	
)	
Defendant,)	

ORDER EXTENDING PROBATION AND MODIFYING CONDITIONS OF PROBATION

On August 15, 2006, the Court held a hearing regarding the Defendant's Order to Show Cause Why Probation Should Not Be Revoked. Special Assistant United States Attorney Gabriel Colwell appeared on behalf of the government. The defendant was present and Assistant Federal Public Defender Donna Gray appeared on behalf of the defendant.

The defendant admitted to having violated the conditions of his probation by failing to submit restitution payments in April 2005, November 2005, April 2006, and July 2006; failing to submit a truthful and complete written report within the first five days of each month; failing to report to the Probation Office as instructed; failing to answer truthfully all inquiries by the probation officer; failing to notify the probation officer at least ten days prior to any change in residence or employment; and failing to notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

Pursuant to 18 U.S.C. 3565(a)(1) and the Federal Rules of Criminal Procedure 32.1, the Court extended the defendant's probation for an additional year. The

defendant's probation will now expire on August 10, 2007. The Court also modified the conditions of probation to include the following additional special conditions:

Special Condition No. 6: That the remaining restitution balance of \$3,883.67 is due immediately but shall be paid no later than 12/31/2006 to Mr. Rodd Wilson, Hawaii District Naval Exchange, but at a rate of not less than 10 percent of his monthly gross income. Defendant to submit to garnishment of those wages.

Special Condition No. 7: That the remaining fine balance of \$250 is due immediately but shall be paid no later than 12/31/2006 to Mr. Rodd Wilson, Hawaii District Naval Exchange, but at a rate of not less than 10 percent of his monthly gross income. Defendant to submit to garnishment of those wages.

Special Condition No. 8: That the defendant execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information including submitting to periodic debtor's examinations as directed by the Probation Office.

Special Condition No. 9: That the defendant is prohibited from incurring credit card charges and lines of credit without the approval of the Probation Office.

Special Condition No. 10: That the defendant shall maintain a single personal bank account, separate and apart from any family members or others, into which all income, financial proceeds, and gains shall be deposited and from which all expenses be paid.

Special Condition No. 11: That the defendant shall secure and maintain gainful, full-time employment (at least 40 hours per week) at the discretion and direction of the Probation Office.

Special Condition No. 12: That the defendant shall submit to voluntary payroll deduction at the discretion and direction of the Probation Office.

All other conditions of probation previously imposed shall remain in effect.

Dated this 14th day of September, 2006.



KEVIN S.C. CHANG

U.S. Magistrate Judge

USA vs. Shane Harvest

Cr.No. 03-00259-01

"Order Extending Probation and Modifying Conditions of Probation"